

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re application of:

Eiju Katsuragi et al.

Application No.: 09/866,226

Filed: May 24, 2001

For: Method and System for Storing Duplicate Data

Examiner: Ramy M. Osman

Art Unit: 2157

**PETITION TO REVIVE
UNINTENTIONALLY ABANDONED
APPLICATION**

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants petition to revive the above-identified application under 37 CFR §1.137(b). The application was unintentionally abandoned for failure to timely respond to the Office Action mailed on October 5, 2004.

The entire delay, including the delay from the date of discovery of the abandonment of the application through the date of this Petition, was unintentional.

On February 28, 2005, a response to the October 5 Office action, in fact, was filed in the PTO. However, a typographical error in the application number caused the response to be misfiled in the PTO. The application number in error was U.S. Appl. No. 09/886,226.

On April 12, 2005, the examiner left a voice mail message with Mr. Robert Colwell informing of the abandoned status of the application.

On April 22, 2005, a Notice of Abandonment was mailed, thereby initiating this petition to revive.

Submitted herewith with is a copy of the response to the October 5, 2005 Office action (as Exhibit A).


05/04/2005 AWONDAF1 00000020 201430 09866226

01 FC:1453 1500.00 DA

Adjustment date: 08/02/2005 AKELLEY
05/04/2005 AWONDAF1 00000020 201430 09866226
01 FC:1453 1500.00 CR

Please deduct the petition fee, pursuant to 37 CFR §1.17(m), of \$1500.00 from the Deposit Account No. 20-1430 of the undersigned. Please charge any additional fees or credit overpayment to the above Deposit Account, see PTO-SB/17 Fee Transmittal submitted in duplicate.

Respectfully submitted,


George B.F. Yee
Reg. No. 37,478

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UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND			
1 Date of Request: <u>8/1/05</u>		2 Serial/Patent # <u>09/866 226</u>	
3 Please refund the following fee(s):	4 PAPER NUMBER	5 DATE FILED	6 AMOUNT
<input type="checkbox"/> Filing			\$
<input type="checkbox"/> Amendment			\$
<input type="checkbox"/> Extension of Time			\$
<input type="checkbox"/> Notice of Appeal/Appeal			\$
<input checked="" type="checkbox"/> Petition			\$ 1500 ⁰⁰
<input type="checkbox"/> Issue			\$
<input type="checkbox"/> Cert of Correction/Terminal Disc.			\$
<input type="checkbox"/> Maintenance			\$
<input type="checkbox"/> Assignment			\$
<input type="checkbox"/> Other			\$
7 TOTAL AMOUNT OF REFUND			\$ 1500 ⁰⁰
8 TO BE REFUNDED BY:			
Treasury Check			
10 REASON:		9 Credit Deposit A/C #:	
<input type="checkbox"/> Overpayment		20 -- 1430	
<input type="checkbox"/> Duplicate Payment			
<input checked="" type="checkbox"/> No Fee Due (Explanation):	<p><i>application not abandoned</i></p>		
11 REFUND REQUESTED BY:			
TYPED/PRINTED NAME: <u>Sherry D. Brinkley</u>		TITLE: <u>Petition Examiner</u>	
SIGNATURE: <u>Sherry D. Brinkley</u>		PHONE: <u>23204</u>	
OFFICE: <u>Petitions</u>			
***** THIS SPACE RESERVED FOR FINANCE USE ONLY: *****			
APPROVED: <u>[Signature]</u>		DATE: <u>8/2/05</u>	

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to: